



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,849	03/08/2004	Kuan Liang	500-010	2451

24002 7590 08/20/2007
ANTHONY R. BARKUME
20 GATEWAY LANE
MANORVILLE, NY 11949

EXAMINER

ANYIKIRE, CHIKAODILI E

ART UNIT	PAPER NUMBER
----------	--------------

2621

MAIL DATE	DELIVERY MODE
-----------	---------------

08/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/796,849	Applicant(s) LIANG ET AL.	
	Examiner Chikaodili E. Anyikire	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application is responsive to application number (10796849) filed on March 08, 2004. Claims 1-4 are pending and have been examined.

Specification

2. The disclosure is objected to because of the following informalities: the disclosure has grammatical errors: "storedin" and "fame" on page 5, Ln 14 should be corrected to "stored in" and "frame", respectively; "the it" on page 6, Ln 2 should be corrected to "it"; and "propsed" on page 9, Ln 3, should be corrected to "proposed".

Appropriate correction is required.

Drawings

3. The drawings are objected to because Fig 5, 202 states, "filed", which should be corrected to "field". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date

of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 4 recites the limitation "frame difference" and "the fixed sequence" in lines 2 and 3 of claim 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Objections

6. Claim 4 objected to because of the following informalities: the applicant states "fame difference", which does not specify in his disclosure and should be changed to "frame difference". Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin (US 7, 050, 088).

As per claim 1, Lee discloses a method for robust layered 3:2 pulldown film mode source detection, said method providing video signals of three fields, a current field, a last field and a next field, said video signals being used to determine a film source and said method comprising steps of:

defining a plurality of layers and each layer has a threshold and a counter (Fig 5; Col 3 Ln 1-18 and Col 5 Ln 16-40);

comparing each difference between pixels of said last field and said next field with each layer's threshold to obtain a comparing result (Fig 5, F(n) and F(n+2); Col 4 Ln 45 – Col 5 Ln 40; the applicant should note that the F(n) and F(n+2) would be referred to as the next field and last field respectively);

according to said comparing result, determining a change of said counter of every layer (Col 5 Ln 16-40); and

determining a result sequence by said counter to decide said film mode source (Col 5 Ln 23-40).

As per claim 2, Lee discloses the method according to claim 1 wherein said layers are three (Fig 5, Adap_th; Col 4 Ln 45-67; the applicant should note the loop in Fig 5 the first threshold (Fi_th) and the adaptive threshold (Adap_th), which provides

numerous threshold values correspond to the plurality (three) of thresholds in the applicant's invention).

As per claim 3, Lee discloses the method according to claim 1 wherein said counter of a layer is increased by 1 when the absolute value of each difference is bigger than a threshold of a layer (Fig 5, Step S507; Col 4 Ln 45-50 and Col 5 Ln 16-27).

As per claim 4, Lee discloses the method according to claim 1 wherein said result sequence uses the frame difference of the film source processed by 3:2 pulldown as the fixed sequence by its counter (Col 4 Ln 45-50 and Col 5 Ln 16-40; the applicant should note that the prior art relates the field difference to the result sequence and since the field difference is a part of the frame difference).

Other Prior Art Cited

9. The following prior art are relevant to the application and could be uses as prior art.

Adams (US 6,380,978) is relevant to the applications because it describes the overall invention.

Lin (US 7,133,064) is relevant to the application because it describes the overall invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chikaodili E. Anyikire whose telephone number is (571) 270-1445. The examiner can normally be reached on Monday to Friday, 7:30 am to 5 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272 - 7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CEA

Mehrdad Dastouri
MEHRDAD DASTOURI
SUPERVISORY PATENT EXAMINER
TC 2600